## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

ABBOTT CARDIOVASCULAR SYSTEMS INC.	)	
and ABBOTT LABORATORIES INC.,	)	
Plaintiffs,	) )	Civil Action No. 98-80 (SLR) (Consolidated with C.A. No. 98-314 (SLR) and C.A. No. 98-316 (SLR))
V.	)	
	)	
MEDTRONIC VASCULAR, INC. and	)	
MEDTRONIC USA, INC.,	)	
	)	
Defendants.	)	
	)	
	)	

## STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a), the parties Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc., Medtronic Vascular, Inc., and Medtronic USA, Inc., by and through their undersigned counsel, do hereby stipulate and agree as follows:

- All claims and counterclaims asserted in this action are dismissed with prejudice;
- 2. Each party shall bear its own costs and attorneys fees with respect to the matters dismissed hereby.

/s/ Anne Shea Gaza

Frederick L. Cottrell, III (#2555)

cottrell@rlf.com

Anne Shea Gaza (#4093)

gaza@rlf.com

RICHARDS, LAYTON & FINGER

One Rodney Square

P.O. Box 551

Wilmington, Delaware 19899

(302) 651-7509

Attorneys for Plaintiffs Abbott Cardiovascular

Systems Inc. and Abbott Laboratories Inc

/s/ Karen Jacobs Louden\_

Karen Jacobs Louden (#2881)

klouden@mnat.com

MORRIS, NICHOLS, ARSHT &

TUNNELL LLP

1201 N. Market Street

P.O. Box 1347

Wilmington, DE 19899-1374

(302) 658-9200

Attorneys for Defendants Medtronic

Vascular, Inc. and Medtronic USA, Inc.

SO ORDERED this	day of	2009.
	Hon. Sue L. Robinson, U.S.D.	C.